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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,455	10/31/2000	Eric Morgan Dowling	EMP-Multi00ICIP1	1166

7590
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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/31/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,455

Applicant(s)

DOWLING, ERIC MORGAN

Examiner

Ba Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/10/04 has been entered.

Claim Rejections - 35 USC § 103

2. Claims 1-9, 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,304,864 (Liddy et al), in view of US patent #6,334,145 (Adams et al).

- As for claims 1, 6, 9, 19: Liddy et al teach a multilevel search browser plug-in module (5:49 - 59) comprising an application layer interface coupled to a protocol stack (inherently included in the teaching of Internet browser) for receiving a portion of a web page, a browser 20 for interacting with a user, a multilevel search engine 22 coupled to receive a user input search parameter defining the content of the search (9:13-24), the multilevel search engine 22 operative to specify a remote agent which comprises portable executable program codes for conducting multilevel browser operation, comparing the content of a markup document to the input search string, whereby the executable program codes are transmitted to a network server to execute on the network server external from the browser (9:49 - 10:65). Although Liddy explicitly teach that the system is capable of

searching through multiple of link level (10:32-38), however fail to suggest an user interface for receiving user input parameter defining the number of link level to be searched. In the same field of multilevel searching in Internet browser, Adams et al teach the multilevel search control interface for the user to specify a search level (figure 7). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Adams' teaching of the multilevel search control interface to Liddy's teaching of multilevel searching for the user to specify a search level. Motivation of the combining is for the user to control the amount of information retrieved.

- As for claims 2, 3: The browser interface includes a window display providing an interactive menu to the user (figures 3A,B).
- As for claim 4: The combined teaching fail to clearly teach the voice interface, however Official notice is taken that implementation of a voice input interface is well known in the art as a supplemental interface in computer input. It would have been obvious to one of skill in the art to combine the well known voice input interface to Kumar & Adams system. Motivation of the combine is for the advantage of having a supplemental for the conventional keyboard and mouse input interfaces.
- As for claim 5: The "find in page" operation is inherently included in Liddy's teaching of parsing the web page.
- As for claim 7, 20: The plug-in module is implemented in Java (8:9-18).
- As for claim 8: Liddy discloses that plug-in module is implemented in Java (8:9-18),

and further suggested other programming language can be used. Implementation of the

plug-in module in XML code would have been obvious to one of skill in the art for the well known advantage of portability and robust.

- As for claim 12: The content based search string includes a Boolean keyword expression (10:14-18).

- As for claim 13: Wireless access to Internet from a mobile workstation is well known in the art and within Liddy's teaching of Internet connection (see patent application 08/696,702, now US patent 6,026,388, Liddy's incorporation by reference, 6:10-14).

Since the search agent is trained by a neuron network, it is inherently included in Liddy that the search parameter may be depended on the positioning of the computer.

- As for claims 14, 15: The search agent searches for data that may be compared against a query for a match, repeat the search by accessing a next hyperlink (9:49 – 10:65).

- As for claim 16: In light of the combining, the parameter comprises Boolean keyword expression (10:14-18) and a search level (Adams' figure 7). The indication to continue the search on a designate next linked page is inherently included in Liddy's teaching of multilevel search (10:27-65).

- As for claims 17, 18: It is inherently included in Internet searching that the hyperlink points to a metadata description of a web resource described in resource description framework for accessing the file containing metadata relating to the resource.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
8/29/04

BA HUYNH
PRIMARY EXAMINER